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Does not wish to speak

Michigan Immigrant Rights Center

Opposed to Senate Bill 501

February 11, 2016

Senate Bill 501

Primary Sponsor: Jim Stamas (R-[District 36](#))

Other Sponsors: Ken Horn (R-[District 32](#)), Wayne A. Schmidt (R-[District 37](#)), Goeff Hansen (R-[District 34](#))

Bill Status: The bill passed the Michigan Senate on 2/4/2016 by vote of 37-0. It was referred to the [Michigan House Committee on Transportation and Infrastructure](#) on 2/9/2016.

Background

Michigan is bound by two international treaties signed by the United States that permit drivers from other countries to operate motor vehicles in the state. According to the treaties, a person who has a license issued in one signatory country may use that license to drive in the other signatory countries. As a result, citizens of certain countries can drive legally in Michigan (or any other U.S. state) if they possess their license that was issued in their home country. The Michigan Secretary of State issues a list of these signatory countries [here](#).

In addition, Michigan law currently permits the Secretary of State to extend reciprocal driving privileges to the citizens of other countries if the Secretary determines that the country's standards for licensing drivers correspond substantially to Michigan's standards, and if the other country extends those privileges to Michigan drivers. The document linked above indicates that Germany and the Republic of Korea are the only two countries that currently enjoy reciprocal status.

Analysis of SB 501

Senate Bill 501 would impose additional requirements on nonresident drivers that the international treaties do not contain. The bill says that a nonresident could only use another country's driver's license to drive in Michigan if the driver possesses a valid

passport, a valid visa, or other valid documents to verify his or her legal presence in Michigan.

The result of this change would be that Michigan police officers would have to become experts in the dozens of documents issued by the U.S. Citizenship and Immigration Services, Immigration and Customs Enforcement, Customs and Border Patrol, the Immigration Courts, and the U.S. Department of State. Police officers would need to make a determination when stopping a driver whether the documentation was validly issued, and whether the documents impart a certain status that the state considers sufficient to prove "legal presence." Foreign nationals traveling through Michigan - whether they are here as tourists, here on business working for a multi-national company, or for any other reason - would find themselves at the mercy of whatever training or verification system that the state, county, or local municipalities have decided to use to satisfy this new requirement.

In addition, the bill would eliminate the requirement that the Secretary of State determine that a country's standards are comparable enough to Michigan's before issuing a letter of reciprocity to that country.

Note: since 2008, Michigan law has not permitted "undocumented" foreign nationals to obtain a Michigan driver's license. This bill has no effect on that law - this bill only pertains to nonresident drivers who have licenses from other countries.